

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Environmental Health Trust,)	
Petitioners for Safe Cell Phones,)	
Elizabeth Barris, and Theodora Scarato,)	No. 20-1025
Petitioners)	
)	
v.)	On Petition for Review of an Order of
)	the Federal Communications
Federal Communications Commission)	Commission
and United States of America)	

Children’s Health Defense,)	
Michele Hertz, Petra Brokken,)	
Dr. David O. Carpenter, Dr. Paul Dart,)	No. 20-1138
Dr. Toril H. Jelter, Dr. Ann Lee,)	(Consolidated)
Virginia Farver, Jennifer Baran,)	
Paul Stanley, M.Ed.)	
Petitioners)	On Petition for Review of an Order of
)	the Federal Communications
v.)	Commission
)	
Federal Communications Commission)	
and United States of America)	

**PETITIONERS’ JOINT MOTION WITH RESPONDENTS’ CONSENT TO
AMEND BRIEFING SCHEDULE**

All Petitioners in the above-captioned cases jointly submit this motion to amend briefing schedule in Case Nos. 20-1025 and 20-1138. Respondents United States of America and the Federal Communications Commission (collectively “FCC”) consent.

These consolidated cases involve petitions for review of the Federal Communications Commission's ("FCC") Resolution of Notice of Inquiry, Second Report and Order, and the Memorandum Opinion and Order, *In the Matter of Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields; Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies; Targeted Changes to the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields*, FCC 19-126, ET Docket Nos. 03-137 and 13-84, 34 FCC Rcd 11687 (rel. Dec. 4, 2019), published 85 Fed. Reg. 18,131 (Apr. 1, 2020).

Pursuant to the amended briefing schedule issued by the Court in these matters on August 20, 2020 (Doc# 1857458), Petitioners' reply brief is presently due on October 16, 2020.

One of the Petitioners in the lead docket is undergoing experimental treatment for otherwise untreatable cancer. The treatment drains her normal energy and requires time out of her regular activities. Consequently, she has been unable to review drafts of Petitioners' Joint Reply Brief in her normal time.

Counsels for Petitioners conferred with Respondent FCC counsel to seek a three-day extension, *i.e.* to file their Reply Brief on October 19, 2020 instead of October 16, 2020. This will afford all Petitioners an adequate opportunity to participate in and approve the contents of Petitioners' planned Joint Reply Brief.

FCC counsel has indicated the Commission and the United States do not oppose this accommodation.

Petitioners' are proposing only to change the due date for Petitioners' Reply Brief. The remaining deadlines would be retained.

In full, the proposed amended schedule would be:

- Petitioner's Reply Brief(s): October 19, 2020
- Deferred Appendix: October 26, 2020
- Final Briefs: November 9, 2020

Accordingly, for the reasons discussed above, all Petitioners respectfully request, with the consent of the Respondents, that this Court amend the briefing schedule in this case in the manner described above.

Respectfully Submitted

/s/ Edward B. Myers

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October 13, 2020

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing Motion to Amend Briefing Schedule complies with the formatting and type-volume restrictions of the rules of the U.S. Court of Appeals for the District of Columbia Circuit. The motion was prepared in 14-point, double spaced, Times New Roman font, using the current version of Microsoft Word, in accordance with Fed. R. App. P. 32(a)(5) and Fed. R. App. P. 32(a)(6). The motion contains 339 words and therefore complies with Fed. R. App. P. 27(d)(2)(A).

/s/ W. Scott McCollough

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2020, I electronically filed the forgoing document with the Court by using the CM/ECF system. All parties to the case have been served through the CM/ECF system.

/s/ W. Scott McCollough